



General Assembly

January Session, 2011

Raised Bill No. 6610

LCO No. 4668

04668_____PH_

Referred to Committee on Public Health

Introduced by:
(PH)

AN ACT CONCERNING VACCINES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 19a-7f of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2011*):

3 (a) The Commissioner of Public Health shall determine the standard
4 of care for immunization for the children of this state. The standard of
5 care for immunization shall be based on the recommended schedules
6 for active immunization for normal infants and children published by
7 the National Centers for Disease Control and Prevention Advisory
8 Committee [, as determined by the Commissioner of Public Health] on
9 Immunization Practices, the American Academy of Pediatrics and the
10 American Academy of Family Physicians. The commissioner shall
11 establish, within available appropriations, an immunization program
12 which shall: (1) Provide vaccine at no cost to health care providers in
13 Connecticut to administer to children so that cost of vaccine will not be
14 a barrier to age-appropriate vaccination in this state; (2) with the
15 assistance of hospital maternity programs, provide all parents in this
16 state with the recommended immunization schedule for normal

17 infants and children, a booklet to record immunizations at the time of
18 the infant's discharge from the hospital nursery and a list of sites
19 where immunization may be provided; (3) inform in a timely manner
20 all health care providers of changes in the recommended
21 immunization schedule; (4) assist hospitals, local health providers and
22 local health departments to develop and implement record-keeping
23 and outreach programs to identify and immunize those children who
24 have fallen behind the recommended immunization schedule or who
25 lack access to regular preventative health care and have the authority
26 to gather such data as may be needed to evaluate such efforts; (5) assist
27 in the development of a program to assess the vaccination status of
28 children who are clients of state and federal programs serving the
29 health and welfare of children and make provision for vaccination of
30 those who are behind the recommended immunization schedule; (6)
31 access available state and federal funds including, but not limited to,
32 any funds available through the federal Childhood Immunization
33 Reauthorization or any funds available through the Medicaid
34 program; (7) solicit, receive and expend funds from any public or
35 private source; and (8) develop and make available to parents and
36 health care providers public health educational materials about the
37 benefits of timely immunization.

38 (b) (1) A health care provider who administers vaccines to children
39 under the immunization program established pursuant to subsection
40 (a) of this section may select any vaccine licensed by the federal Food
41 and Drug Administration, including any combination vaccine and
42 dosage form, that is (A) recommended by the National Centers for
43 Disease Control and Prevention Advisory Committee on
44 Immunization Practices, and (B) made available to the Department of
45 Public Health by the National Centers for Disease Control and
46 Prevention.

47 (2) The Department of Public Health shall provide a vaccine selected
48 by a health care provider pursuant to subdivision (1) of this subsection
49 only if the cost to the department of providing the vaccine does not

50 exceed one hundred fifteen per cent of the lowest-priced equivalent
 51 vaccine. For purposes of this subsection, "equivalent vaccine" means
 52 two or more vaccines that (A) protect a vaccine recipient against the
 53 same infection or infections, (B) have similar safety and efficacy
 54 profiles, and (C) are recommended for comparable populations by the
 55 National Centers for Disease Control and Prevention.

56 (3) The provisions of this subsection shall not apply in the event of a
 57 public health emergency, as defined in section 19a-131, or an attack,
 58 major disaster, emergency or disaster emergency, as those terms are
 59 defined in section 28-1.

60 Sec. 2. Section 19a-7j of the general statutes is repealed and the
 61 following is substituted in lieu thereof (*Effective October 1, 2011*):

62 (a) Not later than September 1, 2003, and annually thereafter, the
 63 Secretary of the Office of Policy and Management, in consultation with
 64 the Commissioner of Public Health, shall (1) determine the amount
 65 appropriated for the following purposes: (A) To purchase, store and
 66 distribute vaccines for routine immunizations included in the schedule
 67 for active immunization required by section 19a-7f, as amended by this
 68 act, including any vaccines selected by health care providers pursuant
 69 to subsection (b) of section 19a-7f, as amended by this act; (B) to
 70 purchase, store and distribute (i) vaccines to prevent hepatitis A and B
 71 in persons of all ages, as recommended by the schedule for
 72 immunizations published by the National Advisory Committee for
 73 Immunization Practices, (ii) antibiotics necessary for the treatment of
 74 tuberculosis and biologics and antibiotics necessary for the detection
 75 and treatment of tuberculosis infections, and (iii) antibiotics to support
 76 treatment of patients in communicable disease control clinics, as
 77 defined in section 19a-216a; and (C) to provide services needed to
 78 collect up-to-date information on childhood immunizations for all
 79 children enrolled in Medicaid who reach two years of age during the
 80 year preceding the current fiscal year, to incorporate such information
 81 into the childhood immunization registry, as defined in section 19a-7h,

82 and (2) inform the Insurance Commissioner of such amount.

83 (b) Each domestic insurer or health care center doing life insurance
84 or health insurance business in this state shall annually pay to the
85 Insurance Commissioner, for deposit in the General Fund, a health and
86 welfare fee assessed by the Insurance Commissioner pursuant to this
87 section. [Not later than October 1, 2003, the Insurance Commissioner
88 shall determine the fee to be assessed against each such domestic
89 insurer or health care center for the fiscal year ending June 30, 2004.]
90 Not later than October 1, 2003, and annually thereafter, the Insurance
91 Commissioner shall determine the fee to be assessed against each such
92 domestic insurer or health care center for the next fiscal year. Such fee
93 shall be a percentage of the total amount appropriated, as identified in
94 subsection (a) of this section, and shall be calculated on the basis of life
95 insurance premiums and health insurance premiums and subscriber
96 charges in the same manner as calculations under section 38a-48. Not
97 later than November 1, 2003, and annually thereafter, the Insurance
98 Commissioner shall submit a statement to each such insurer and health
99 care center that includes the proposed fee for the insurer or health care
100 center calculated in accordance with this section. As used in this
101 section, "health insurance" means health insurance, as defined in
102 subdivisions (1) to (13), inclusive, of section 38a-469.

103 (c) Any domestic insurer or health care center aggrieved by an
104 assessment levied under this section may appeal therefrom in the same
105 manner as provided for appeals under section 38a-52.

106 [(d) For the fiscal year ending June 30, 2004, the aggregate
107 assessment under this section shall not exceed seven million one
108 hundred thousand dollars. For the fiscal year ending June 30, 2005, the
109 aggregate assessment under this section shall not exceed seven million
110 one hundred thousand dollars.]

<p>This act shall take effect as follows and shall amend the following sections:</p>
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Section 1	<i>October 1, 2011</i>	19a-7f
Sec. 2	<i>October 1, 2011</i>	19a-7j

Statement of Purpose:

To allow health care providers who administer vaccines to children to choose which vaccine product to administer, provided the vaccine is recommended and made available to the state by the National Centers for Disease Control and Prevention, and is not more than one hundred fifteen per cent more expensive than an equivalent vaccine.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]